

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

August 14, 2012

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

NOLBERTO GUZMAN-RODRIGUEZ,

Defendant - Appellant.

No. 12-1043
(D.C. No. 1:10-CR-00345-REB-2)
(D. Colo.)

ORDER

Before **KELLY** and **GORSUCH**, Circuit Judges.

This matter is before the court on the letter sent to the court by the defendant dated August 8, 2012 and defense counsel's motion to withdraw. The letter is construed as a voluntary motion to dismiss this appeal, and, as so construed, the motion is granted.

Accordingly, this appeal is **DISMISSED**. Defense counsel's motion to withdraw is **GRANTED**. A copy of this order shall stand as and for the mandate of this court.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk



by: Ellen Rich Reiter
Jurisdictional Attorney